Proposed

Article 5

Right to Vote

Section 1. At ~~the~~ any annual or special meeting of the membership of the District, a member shall vote by ballot. Members may vote their ballot in person at an annual or special meeting of the members or, prior to the annual or special meeting of the members, may deliver their ballot by U.S. Mail or other form or means of delivery including but not limited to using ~~service~~ Federal Express, hand delivery, internet delivery via email, upload link, download link, text message, app., or other electronic means to deliver an image (i.e. .pdf format or similar/equivalent format) of the ballot or ballots which identify the voter and the matter or matters being voted on. For the avoidance of doubt, the ballot or ballots cast by any means other than the voter being personally present at any annual or special meeting of the membership, must be actually received by the District no later than the last business day before an annual or special meeting to be valid at said meeting. Ballots received after this deadline will not be counted.

~~**Article 5**~~

Section 2

Each voting member who is not in a status of termination, as provided for in Article 4, Section 2, shall be entitled to only one vote upon each matter submitted to a vote at any meeting of the members. At the annual meeting of the members or a special meeting of the members, a member shall vote by ballot. Members may vote their ballot in person at an annual meeting or, prior to the annual meeting, may deliver his/her/its ballot as provided for and permitted by Art. 5, Section 1 of these bylaws~~by U.S. Mail or other forms of delivery~~. All ballots not cast in person at an annual or special meeting of the members must be ~~filed~~ submitted using the means permitted in Art. 5, Section 1 of these bylaws for certification ~~with~~ to the board secretary or election service provider no later than the last business day before an annual meeting to be valid at said meeting. Voting by members other than members who are a natural person shall be allowed upon the presentation to the district, prior to, or upon registration at, each annual or special member meeting, or satisfactory evidence entitling the person presenting the same to vote. No less than twenty-five (25) days nor more than thirty (30) days prior to an annual meeting at which a director's election (as defined herein) is to be held, the board secretary shall deliver by U.S. Mail or via any electronic means (i.e. email, internet link, text message, etc.) a ballot to each member that is eligible to vote that includes: 1. Director scheduled for election by members; 2. Any other matters to be voted on by the members at the annual meeting. At all meetings of the members, all questions shall be decided by a majority of the members voting thereon, except as otherwise provided by these Bylaws. Members may not vote by proxy. Cumulative voting is not permitted. All qualifying ballots presented on any matter shall be made available to the public at any annual or special meeting of the members to enable any member of the public to identify the voter, the matter voted on and how the member voted on the matter.

Please Mark Only One

☐ Yes, add proposed additions and delete proposed deletions.

☐ No, do not add proposed additions and do not delete proposed deletions.

Proposed

Article 7

Election of Directors

Section 1. The Board of this District shall consist of Five Members, all of who shall be participating members of the District, provided, however, that the original Board shall consist of owners of land located in the District. The Directors elected at the time of incorporation of the District shall be elected for staggered terms of one, two, and three years, and shall serve until the expiration of the term for which they are elected as shown by the minutes of the original meeting of the landowners, and until their successors are elected and have qualified. At each annual meeting of the participating members, the participating members shall elect for a term of three years the number of Directors whose term of office have expired. ~~When a city or town is part of proportion to the number of users in said city or town, provided further that when a Rural Water District is totally within the municipal city limits of a city or town, The Board of Directors of the District shall be the Governing Body of the town.~~

Any member seeking election or re-election to the Board of Directors of Rural Water District #5, McCurtain County, Oklahoma:

a) Must be a member of good standing.

b) Must file a written notice of candidacy with the Secretary of the District not more than ~~60~~ 90 days and not less than ~~30~~ 60 days before the Annual Meeting and Election of the participating members. No one person may be nominated for Director except as herein set forth.

c) Must have Benefit Unit for at least 90 days.

Please Mark Only One

☐ Yes, add proposed additions and delete proposed deletions.

☐ No, do not add proposed additions and do not delete proposed deletions.